

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

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In re

RAHUL DEV MANCHANDA,

Debtor.

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RAHUL DEV MANCHANDA,

Appellant,

**ORDER**

– against –

No. 23-CV-11308 (CS)

UNITED STATES TRUSTEE,

Appellee.

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Seibel, J.

Appellant’s notice of interlocutory appeal was docketed by the Bankruptcy Court on June 7, 2023. (See Bankr. S.D.N.Y. Case No. 23-22095, ECF No. 48.) For reasons that are not clear, it was docketed in this Court on December 29, 2023. (ECF No. 1.) No designation of the record or statement of issues has been filed pursuant to Federal Rule of Bankruptcy Procedure 8009, and from the Court’s review of the Bankruptcy Court docket, it appears that the issue may be moot.

Appellant is hereby ordered to advise the Court no later than March 18, 2024, as to whether he wishes to pursue the appeal, and if so, why he has not yet filed the documents required by Rule 8009. Failure to do so may result in dismissal for failure to prosecute. *See O’Grady v. Motors Liquidation Co. Avoidance Action Tr.*, No. 19-CV-6668, 2020 WL 2765695,

at \*2 (S.D.N.Y. May 28, 2020) (“A district court has the power to dismiss a bankruptcy appeal for failure to prosecute *sua sponte*.”) (collecting cases).

**SO ORDERED.**

Dated: March 4, 2024  
White Plains, New York



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CATHY SEIBEL, U.S.D.J.